

U.S. Department of Labor

Occupational Safety and Health Administration  
555 Griffin Square Building  
Dallas, Texas 75202



Reply to the Attention of: 60SHA (FSO) -RFM

January 13, 1992

Captain G. A. Casimir  
U. S. Coast Guard  
Commander M  
XI Coast Guard District  
Union Bank Building, Suite 709  
400 Ocean Gate Blue  
Long Beach, California 90822

Dear Captain Casimir:

This is in response to your letter of December 2, 1991, concerning the EPA FOSC Report on the Bluewater Uranium Mine In Prewitt, New Mexico as forwarded for my reply by the San Francisco Regional Administrator for OSHA.

The Albuquerque Area Office was made aware of your report, meetings, and findings on December 31, 1991. Due to the short turn around time for comments and not having been involved in previous meetings, a brief analysis of your report was conducted.

In New Mexico, Federal OSHA would ascertain jurisdiction of Federal employees and its contractors on Federal premises engaged in hazardous waste operations as outlined in 29 CFR 1910.120 (see attached). This would include the Department of Interior, Bureau of Indian Affairs, Bureau of Land Management, Office of Surface Mining, and to some extent the Department of Energy, and Federal employees and contractors of the Department of Energy not on DOE owned land. Employees and contractors on DOE owned land would be the responsibility of DOE.

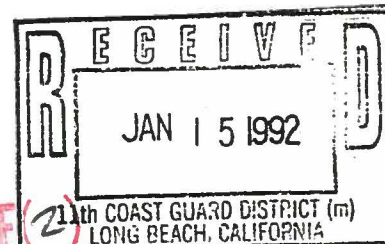
As for radiation exposure and monitoring, New Mexico's Radioactive Hazardous Waste Bureau would have sole jurisdiction in these areas. Mr. Benito Garcia, Bureau Chief, can be contacted by calling (505) 827-4300.

Employees of City and County Municipalities, as well as employees of the State of New Mexico, would be covered under the New Mexico Occupational Health and Safety Bureau (NMOHSB). Sam Rogers, Bureau Chief, can be reached by calling (505) 827-2888.

	M	MP	MVS	MEA	MPS	MOH	SEC
A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



ENCLOSURE



A-ACTION I-INFO R-RETURN F-FILE

If and when the NMOHSB encounters difficulties in obtaining entry to these areas, the Federal OSHA office in Albuquerque would ascertain jurisdiction and proceed to cover those employees. Since the Bluewater Uranium Mine sites are under the Navajo Nation's Territories (a Sovereign Nation), coordination with the Navajo Nation's Tribe would be attempted first.

As to your report, Federal OSHA would, upon ascertaining coverage of those employees mentioned above, cover only provisions of 29 CFR 1910, or 1926, and would not have coverage as to health hazards associated with the public.

If we can be of any further assistance, please feel free to call Pat Bradley, Area Director, in our Albuquerque Area Office at FTS (505) 474-3411.

Sincerely,



Gilbert J. Saulter  
Regional Administrator

cc: Frank Strasheim  
Regional Administrator, OSHA  
San Francisco Regional Office